

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Irrigation & Command Area Development Department – Minor Irrigation – Sanction of an amount of Rs.1,18,23,789/- to C.E., M.I., for payment to M/s Deepika Infratech Pvt. Ltd., Hyderabad for Implementation of the Hon`ble High Court Orders in W.P.M.P No.16239/2010 in W.P No.12889/2010 – Orders – Issued.

-----  
**IRRIGATION & COMMAND AREAD DEVELOPMENT (M.I.G)**  
**DEPARTMENT**

**G.O.Rt.No. 1071**

**Date: 22 -10-2011**

Read the following:--

- 1) G.O Ms. No.73, I & CAD (PW:EA) Department, dated: 22.03.2007.
- 2) From M/s Deepika Infratech Pvt. Ltd., representation, dated: 05.01.2010 and dated: 14.05.2010.
- 3) Orders of the Hon`ble High Court dated: 29.06.2010 in W.P.M.P No.16239 of 2010 in W.P No.12889 of 2010.
- 4) From the Chief Engineer, Minor Irrigation Lr. No.DCE-II-OT4-SO1-NZB-Rallavagu-2011, dated: 20.05.2011.

\*\*\*

**ORDER:**

The Chief Engineer, Minor Irrigation in his letter 4<sup>th</sup> read above, has submitted that the Government have accorded Administrative Approval for the work of formation of Reservoir across Peddavagu (Rallavagu project) at Konapur (V), Kammarpally (M), Nizamabad District for Rs.1332.00 Lakhs vide G.O 1<sup>st</sup> read above under NABARD-RIDF-XII and it was entrusted to M/s Deepika Infratech Private Limited, Banjara Hills, Hyderabad on tender basis and it was revised to Rs.2388.80 lakhs due to change in designs of bund and weir, escalation in land acquisition charges etc. vide G.O Ms.No.172, I&CAD (PW-EA) Department, dated: 23.08.2008 duly instructing to meet the additional cost of Rs.1058.00 lakhs from the State Plan funds. The work was completed by 30.06.2009.

2. The agency M/s. Deepika Infratech Pvt. Ltd., Hyderabad in their representations dated: 05.01.2010 and 14.05.2010 has stated that the above work was entrusted to them vide Agreement No.12/2004-2005 of the Superintendent Engineer, Irrigation & Command Area Development Department, Nirmal Circle, Nirmal, Adilabad District with SSR 2004-2005. The stipulated time for completion of the said work was 18 months. Due to abnormal delay in land acquisition, approval and change of designs, the work was delayed for reasons beyond their control and also due to the abnormal variations in price,

P.T.O

they have sustained heavy losses for no fault of them and requested to issue instructions to the concerned officials to pay relevant SSR as per actual work done from the first day of agreement to final day of completion period as the delay can not be attributed to them.

3. The agency has also filed W.P No.12889/2010 in the Hon'ble High Court of Andhra Pradesh praying to direct the respondents to consider the above representations dated: 05.01.2010 and 14.05.2010. The Hon'ble High Court in its interim orders dated: 29.06.2010 in W.P.M.P No.16239/2010 in W.P No.12889/2010 has stated that there shall be a direction to the respondents to consider the representations of the petitioner and pass appropriate orders in accordance with law within a period of 6 weeks from the dated of receipt of this Order.

4. In compliance with the interim directions of the Hon'ble High Court, the Agency has been requested to appear in person and present their case with all relevant records in support of their claims i.e., relevant SS Rates for the work executed beyond the agreement paid. The meeting was held on 24.01.2011 and 02.05.2011 in the Office Chambers of Principal Secretary to Government, Irrigation & Command Area Development Department, Secretariat, Hyderabad. In the said reconciliation meeting, the Agency has agreed to settle the issue for an amount of Rs.1,18,23,789/- i.e., 75% of the total amount of the claim and the Agency has also furnished their willingness / undertaking on Rs.100/- stamp paper declaring that the above amount shall be paid by the Government to the Company without interest as full and final settlement of the Dispute subject to the condition of deduction of taxes etc. as applicable from the said amount.

5. Government after careful examination of the matter, hereby accord sanction to Chief Engineer, Minor Irrigation for an amount of Rs.1,18,23,789/- (Rupees One crore eighteen lakhs twenty three thousand seven hundred and eighty nine only) i.e., 75% of the total amount of the claim as full and final settlement for payment to M/s Deepika Infratech Pvt. Ltd. for implementation of Hon'ble High Court Orders in WPMP No.16239/2010 in W.P No.12889/2010 for the work "Formation of Reservoir across Peddavagu (Rallavagu Project) at Konapur village in Kammarpally Mandal in Nizamabad District"

6. The amount sanctioned in para ( 5 ) shall be debitable to the following Head of Account:

"4702 COL on M.I., M.H-101 Surface Water – GH (11) Normal State Plan SH (12) – Construction of Restoration of Minor Irrigation Sources – 530-531 other expenditure".

7. The Chief Engineer, Minor Irrigation is requested to take further necessary action accordingly duly deducting the Taxes etc. as applicable from the said amount.

8. This order issues with the concurrence of Finance (Expr. P.W) Department vide their U.O No. 27434/876/A1/Expr. PW/11, dated: 21.10.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.PRASANTA MAHAPATRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Chief Engineer, Minor Irrigation,  
Errummanzil, Hyderabad.  
Copy to:  
The Deepika Infratech Pvt. Ltd.,  
8-2-686/C/D/5, Road No.12,  
Banjara Hills, Hyderabad – 500 034.  
The Accountant General, A.P., Hyderabad.  
The P.A.O., Karimnagar District.  
The Finance (Expr.PW) Department.  
O.S.D to Hon`ble Minister (MI/LI/APSIDC/GWD/WALAMTARI)  
P.S to Principal Secretary to Government, I & CAD Department  
P.S to Special Secretary to Government, I & CAD Department  
Sf/sc

//FORWARDED:: BY ORDER//

SECTION OFFICER